IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE EIGHTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 1924 of 2005

Between:

1 V.Narsimha Goud, s/o Srisailam Goud,
APSRTC, Midhani Bus Depot, Hyderabad.
2 A.Francis Reddy, s/o Amrutha Reddy,
APSRTC, Midhani Bus Depot, Hyderabad.
3 D.R.Raghuveer, s/o Narayana Swamy,
APSRTC, Kukatpally Bus depot, Hyderabad.
4 Md.Rahimuddin, s/o Md.Kutubuddin,
APSRTC, Kukatpally, Bus Depot, Hyderabad.
5 N.Vasudeva Rao, s/o Ramchander,
APSRTC, Kukatpally Bus Depot, Hyderabad.
6 K.Venugopal, s/o K.Lakshmaiah,
APSRTC, Kukatpally Bus Depot, Hyderabad.
7 R.Krishna, s/o Brahmaiah,
APSRTC, Contonment Bus Depot, Hyderabad.
8 P.Balaraju, s/o Chandraiah,
APSRTC, Uppal Bus Depot, Hyderabad.
9 K.S.P.Rao s/o Hanumantha Rao,
APSRTC, Uppal Bus Depot, Hyderabad.
10 M.A.Nafeez, s/o M.A.Hameedh,
APSRTC, Ranigunj I Bus Depot, Hyderabad.
11 B.Anandh Devraj, s/o B.Devadanam,
APSRTC, Ranigunj I Bus Depot,Hyderabad.
12 V.Srinivas Chary, s/o Anjaneyulu,
APSRTC, Dilsukhnagar Bus Depot, Hyderabad.
13 G.N.Reddy, s/o Venkat Reddy,
APSRTC, Dilsukhnagar Bus Depot, Hyderabad.
14 Gulam Jeelani, s/o Gulam Ahmed,
APSRTC, HCU Depot, Gachibowli, Hyderabad.
15 R.L.Prasad, s/o R.Yadagiri,
APSRTC, Office of the VC & MD, Musheerabad, Hyderabad.
16 B.Brahmananda Reddy, s/o Krishna Reddy,
APSRTC, RM Office, Secunderabad.

.... PETITIONER(S)

AND

1 The Regional Manager, APSRTC, Hyderabad City Region, JBS, Picket, Secunderabad.
2 The Depot Manager, APSRTC, Midhani Bus Depot, Hyderabad.
3 The Depot Manager, APSRTC, Uppal Bus Depot, Hyderabad.
4 The Depot Manager, APSRTC, Ranigunj I Depot, Hyderabad.
5 The Depot Manager, APSRTC HCU (Gachibowli) Depot, Hyderabad.
6 The Depot Manager, APSRTC, Dilsukhnagar Bus Depot, Hyderabad.
7 The Depot Manager, APSRTC, Kukatpally Bus Depot, Hyderabad.
8 The Depot Manager, APSRTC, Cantonment Bus Depot, Hyderabad
(R.2 toR8 not necessary parties)

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ or order or direction more particularly one in the nature of writ of mandamus declaring that the action of the respondents in not giving Special Grade/Stagnation Increment to the petitioners w.e.f. their completion of 12 years of service in APSRTC in total (all regions) and counting the present region's service of 12 years for Special Grade as arbitrary, illegal, unjust and unreasonable and contrary to the circulars and contrary to the judgments of this Hon'ble Court and consequently direct the respondents to the petitioners on their completion of 12 years in all the regions of the Corporation.

Counsel for the Petitioners: MR.P.VENKATESWAR RAO

Counsel for the Respondents: MR.V.T.M.PRASAD , S.C. for APSRTC

The Court made the following :

ORAL ORDER:

This writ petition is filed seeking a Mandamus to declare the action of the respondents-Corporation in not granting special grade/stagnation increments to the petitioners after completion of 12 years of their service in APSRTC as arbitrary and illegal.

The case of the petitioners is that they completed 12 years of service in the respondents-Corporation and they are entitled to the stagnation increment. As the Special Grade/stagnation increments have not been sanctioned to them, this writ petition is filed.

The learned counsel for the petitioners has contended that the total

service rendered by the petitioners in the Corporation has to be taken into consideration for granting stagnation increments/Special Grade.

On the other hand, the learned counsel for the respondents has contended that as the petitioners have not completed 12 years of service in a particular region, they are not entitled to such benefits.

This Court, in W.A.No.1301 of 2000, dated 20.10.2002, held that it is the total service rendered by the petitioners in the Corporation that counts but not in the division or region. Following the above judgment, the total service of the petitioners has to be taken into consideration in granting stagnation increments/Special Grade.

Therefore, the respondents are directed to consider the case of the petitioners for granting stagnation/Special Grade increments, considering the total service rendered by them in the Corporation, within a period of two months from the date of receipt of a copy of this order.

The writ petition is disposed of in terms of the above direction. In the circumstances of the case, there shall be no order as to costs.

(K.C. BHANU, J.)

8th February, 2005.

bcj

To

1 The Regional Manager, APSRTC, Hyderabad City Region, MBS, Picket, Secunderabad.
2 The Depot Manager, APSRTC, Midhani Bus Depot, Hyderabad.
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9 Two C.D. copies.